

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
HAZARDOUS WASTE MANAGEMENT PROGRAM
MANAGEMENT MEMO RESCISSION DOCUMENT

MANAGEMENT MEMO: #EO-92-008-MM

TITLE: **Validity of "Old" Variances**

AFFECTED PROGRAMS: Statewide Compliance Division
 Permitting Division
 State Regulatory Programs Division
 Office of Legal Counsel and Criminal Investigations
 Science, Pollution Prevention & Technology Program

STATEMENT OF RESCISSION:

Management Memo #EO-92-008-MM is hereby rescinded for the following reason(s):

Management Memo #EO-92-008-MM stated that variances issued without an expiration date remain valid indefinitely, regardless of conflict with current program policy, unless or until the Department of Toxic Substances Control (DTSC) takes specific action to revoke the variance, or the variance is invalidated because there is a conflict with an applicable federal regulation or with an applicable California statute or regulation adopted after the issuance of the variance.

With the exception of waste classification determination variances issued pursuant to Title 22, California Code of Regulations (CCR) section 66260.200 and variances issued for the purpose of transferring oversight of land disposal to a Regional Water Quality Control Board, DTSC does not currently and will not issue a variance without an expiration date.

Effective immediately, DTSC intends to revoke or modify all variances that do not have an expiration date [excluding waste classification determination variances issued pursuant to Title 22, CCR section 66260.200 and variances issued for the purpose of transferring oversight of land disposal to a Regional Water Quality Control Board].

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